

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

587S0502

## HOUSE EDUCATION ENGROSSED NO. **SB 77** - 2/28/2011

Introduced by: Senators Krebs, Hansen (Tom), Haverly, Johnston, Peters, Schlekeway, and Tidemann and Representatives Brunner, Abdallah, Blake, Conzet, Dryden, Gibson, Hunt, Kirkeby, and Liss

1 FOR AN ACT ENTITLED, An Act to require school boards to approve pick-up locations for  
2 any open enrolled students who are transported in their resident school districts by receiving  
3 school districts.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 13-28-45 be amended to read as follows:

6 13-28-45. The parent or guardian of a student who has been accepted for transfer is  
7 responsible for transporting the student to school in the receiving district without  
8 reimbursement. ~~Either the district of residence or the receiving district may provide~~  
9 ~~transportation to students approved for transfer. A receiving school district may enter the district~~  
10 of residence of students accepted for transfer into that school district to provide transportation  
11 to those students. However, the school boards in both the receiving school district and the  
12 resident school district shall annually approve the pick-up locations for those students within  
13 any incorporated municipality. When approving pick-up locations, the school boards shall base  
14 their decisions foremost on student safety. If the school boards cannot reach agreement on the



1 pick-up locations, the locations shall be determined by the secretary of the Department of  
2 Education. The provisions of § 13-29-4 do not apply when transporting students enrolled under  
3 the provisions of §§ 13-28-40 to 13-28-47. The receiving district may charge a reasonable fee  
4 if the student elects to use the transportation services offered by the receiving district. The  
5 provisions of this section regarding the transportation agreements among school districts do not  
6 apply to any school district defined as a sparse school district pursuant to § 13-13-78.